

Application for United States Patent

## Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## IMPROVED TOP-OXIDE-EARLY PROCESS AND ARRAY TOP OXIDE PLANARIZATION

(check one) ☒ is attached hereto  
☐ was filed on \_\_\_\_\_ as  
 Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).\*

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>None</u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>yes</u>	<u>no</u>

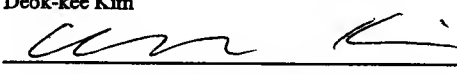
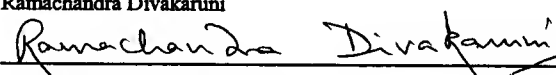
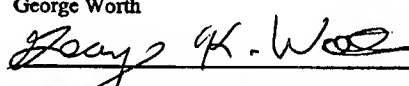
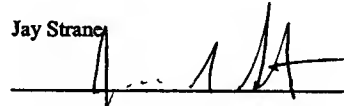
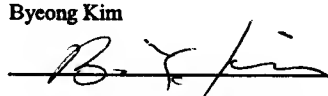
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>None</u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status: patented, pending, abandoned)

Power of Attorney: As a named inventor, I hereby appoint Power of Attorney: As a named inventor, I hereby appoint Joseph P. Abate, Reg. No. 30,238, Jay H. Anderson, Reg. No. 38,371, Lynne D. Anderson, Reg. No. 46,412, Ira D. Blecker, Reg. No. 29,894, Steven Capella, Reg. No. 33,086, James J. Cioffi, Reg. No. P51,564, Harold Huberfeld, Reg. No. 26,665, Todd M. C. Li, Reg. No. 45,554, Anthony N. Magistrale, Reg. No. 35,595, Margaret Pepper, Reg. No. 45,008, H. Daniel Schnurmann, Reg. No. 35,791, Eugene I. Shkurko, Reg. No. 36,678, Steven Soucar, Reg. No. 32,440, William P. Skladony, Reg. No. 33,787, Lisa J. Ulrich, Reg. No. 45,168, Christopher A. Hughes, Reg. No. 26,914, Edward A. Pennington, Reg. No. 32,588, John E. Hoel, Reg. No. 26,279, Joseph C. Redmond, Jr., Reg. No. 18,753, Michael E. Whitham, Reg. No. 32,635, Marshall M. Curtis, Reg. No. 33,138, Clyde R. Christofferson, Reg. No. 34,138, and C. Lamont Whitham, Reg. No. 22,424, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

All correspondence should be directed to Whitham, Curtis & Christofferson, PC, 11491 Sunset Hills Road, Suite 340, Reston, Virginia 20190. Telephone calls should be directed to Whitham, Curtis & Christofferson, P.C. at (703) 787-9400. Please associate this application with customer number 30743.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- (1) Inventor: Deok-kee Kim  
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- (3) Inventor: Hiroyuki Akatsu  
Signature: \_\_\_\_\_  
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IBM Decklet: FIS928040057US1

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Post Office Address: Same As Residence
- (5) Inventor: Jay Strano  
Signature: [Signature] 5/18/04  
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3823 Whispering Hills Dr. Chester NY 10918 JWS  
Citizenship: US  
Post Office Address: Same As Residence
- (6) Inventor: Byoung Kim  
Signature: [Signature] 5/13/2004  
Residence: 56 Memory Trail, Lagrangeville, NY 12540  
Citizenship: KR  
Post Office Address: Same As Residence

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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	
Filing Date	
First Named Inventor	Kim Deok-kee
Art Unit	
Examiner Name	
Attorney Docket Number	FIS920040057US1

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

32074

☐ Please change the correspondence address for the above-identified application to:

☐ The address associated with  
Customer Number:

OR

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

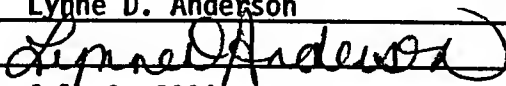
Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	Lynne D. Anderson		
Signature			
Date	July 8, 2004	Telephone	(703)299-1455

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## LETTER OF AUTHORITY

I, Gerald Rosenthal, Vice President, Intellectual Property and Licensing of International Business Machines Corporation (IBM), a New York corporation, do hereby delegate the authority to approve and execute documents on behalf of IBM relating to proceedings in the Patent, Trademark Registration or Copyright Offices servicing any country or region of the world, or to related appeal proceedings, including, but not limited to: petitions; powers of Attorney; authorizations; verification; nominations of representatives; declarations; documents relating to maintenance and defense of the resulting industrial property rights; assignments of rights to apply for and acquire patents and trademark registrations; and evidence of such assignments; requests for the registration of patents as available for licensing; reports of inventions and petitions for waiver of patent rights to any department or agency of the United States Government; and, assignments, licenses and other instruments confirmatory of Government rights in patents and inventions, to Lynne D. Anderson, Program Manager, Patent Office Liaison.

Date: April 6, 2004



Gerald Rosenthal  
Vice President, Intellectual Property & Licensing  
International Business Machines Corporation

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Kim Deok-kee

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: IMPROVED TOP OXIDE EARLY PROCESS AND ARRAY TOP OXIDE ...

International Business  
Machines Corporation

(Name of Assignee)

a corporation of New York

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 8, 2004

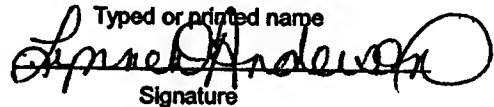
Date

(703)299-1455

Telephone number

Lynne D. Anderson

Typed or printed name



Signature

Docket No.:

Program Manager, US PTO Liaison

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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